

# Exhibit 6

**From:** Andrea P Roberts  
**Sent:** Thursday, February 04, 2010 11:00 AM  
**To:** dhepburn@heplaw.com; 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'; alan@alanbrooksllc.com; agiza@raklaw.com; aweiss@raklaw.com  
**Cc:** Brian Cannon; David Perlin; PA Advisors v. Google; 'Melissa Smith'; 'Gil Gillam'; White, Jason; Rooklidge, William; Yovits, Steven; \_Doan, Jennifer  
**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

**Counsel:**

To follow up on our call yesterday, we can confirm the schedule below:

February 9 - Peters in Redwood Shores, California. THIS DATE IS CONFIRMED. Due to the delay in confirming expert deposition dates, Dr. Peters is no longer available on February 8. Defendants do not agree that multiple days of deposition are necessary because Dr. Peters did not submit different opinions on behalf of each Defendant. Due to Dr. Peters' schedule, the deposition cannot begin until 10 am on February 9.

February 11 or 12 - Mossinghoff in Washington, DC. We understand Plaintiff is checking the availability of this date.

February 16 and 17 - Plaintiff offered Dr. Rhyne in Austin, TX. Please provide dates the week of February 8 when Dr. Rhyne is available. Dr. Rhyne needs to be made available prior to the depositions of Allen and Fox. It is not reasonable that Plaintiff offered to make its first expert available for deposition just four days prior to the close of expert discovery. Please provide earlier dates.

February 17 - Fox in Virginia. THIS DATE IS CONFIRMED. Dr. Fox is not available on February 18; nor do Defendants agree that multiple days of deposition are necessary or warranted.

February 19 - Allen in Boston.

February 23 and 24 - Becker in Austin, Texas. THESE DATES ARE CONFIRMED

March 2 - Woodford in Washington, DC.

March 4 - Plaintiff offered Gordon in Washington, DC, stating that he is not available for deposition prior to that date. Please provide dates prior to the February 19 close of expert discovery. The Court set that deadline during the December 28 hearing and the parties cannot unilaterally change that date. Judge Rader gave the parties permission to extend damages discovery beyond that date due to Dr. Becker's circumstances. He did not extend the deadline for all expert discovery and Defendants do not agree to do so. Accordingly, Plaintiff needs to make this witness available for deposition prior to the Court's deadline, or seek leave of Court to make him available later.

March 5 - Ugone in Redwood Shores, California. We understand that Plaintiff is checking the availability of this date.

We look forward to your prompt response regarding the remaining outstanding dates.

**Andrea Pallios Roberts**

Associate,

Quinn Emanuel Urquhart Oliver & Hedges LLP.

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**From:** Debera Hepburn [mailto:[dhepburn@heplaw.com](mailto:dhepburn@heplaw.com)]

**Sent:** Wednesday, February 03, 2010 11:52 AM

**To:** Andrea P Roberts; 'David Pridham'; Brian Cannon; [sandrews@haltomdoan.com](mailto:sandrews@haltomdoan.com); [jdoan@haltomdoan.com](mailto:jdoan@haltomdoan.com); 'Rooklidge, William'; [jthane@haltomdoan.com](mailto:jthane@haltomdoan.com); 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'; [alan@alanbrooksllc.com](mailto:alan@alanbrooksllc.com); [agiza@raklaw.com](mailto:agiza@raklaw.com); [aweiss@raklaw.com](mailto:aweiss@raklaw.com)

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Please use the following dial-in information for today's 3:00PM Central call:

Telephone: 1-605-475-6333

Code: 263912

*Best Regards,*

*Debera W. Hepburn*

*[dhepburn@heplaw.com](mailto:dhepburn@heplaw.com)*

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**From:** Andrea P Roberts [mailto:[andreaproberts@quinnmanuel.com](mailto:andreaproberts@quinnmanuel.com)]

**Sent:** Wednesday, February 03, 2010 1:48 PM

**To:** David Pridham; 'dhepburn@heplaw.com'; Brian Cannon; 'sandrews@haltomdoan.com'; 'jdoan@haltomdoan.com'; 'Rooklidge, William'; 'jthane@haltomdoan.com'; 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** 'Andrew Spangler'; Marc Fenster; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; Kip Glasscock; [alan@alanbrooksllc.com](mailto:alan@alanbrooksllc.com); 'agiza@raklaw.com'; 'aweiss@raklaw.com'

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

David,

Defendants are available at 3 pm Central. Please circulate a call-in number we can use.

Andrea

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**From:** David Pridham [mailto:David@PridhamIPLaw.com]

**Sent:** Wednesday, February 03, 2010 10:31 AM

**To:** Andrea P Roberts; 'dhepburn@heplaw.com'; Brian Cannon; 'sandrews@haltomdoan.com'; 'jdoan@haltomdoan.com'; 'Rooklidge, William'; 'jthane@haltomdoan.com'; 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** 'Andrew Spangler'; Marc Fenster; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; Kip Glasscock; 'alan@alanbrooksllc.com'; 'agiza@raklaw.com'; 'aweiss@raklaw.com'

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Andrea,

Are the defendants available to discuss these issues today at 3:00 central?

David

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**From:** Andrea P Roberts [mailto:andreasroberts@quinnmanuel.com]

**Sent:** Tuesday, February 02, 2010 9:11 PM

**To:** 'dhepburn@heplaw.com'; Brian Cannon; 'sandrews@haltomdoan.com'; 'jdoan@haltomdoan.com'; 'Rooklidge, William'; 'jthane@haltomdoan.com'; 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** David Pridham; 'Andrew Spangler'; Marc Fenster; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; Kip Glasscock; 'alan@alanbrooksllc.com'; 'agiza@raklaw.com'; 'aweiss@raklaw.com'

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Counsel,

We do not agree to the proposed sur-reply dates. Judge Rader set the summary judgment schedule, he did not provide for sur-replies, and the amended docket control order reflects the schedule he set. With respect to expert discovery, we do not agree to an extension of time generally. But, in light of Dr. Becker's schedule, we agree to postponing the close of damages discovery and related motion practice. This is what the parties discussed last week. The attached amended docket control order reflects this. Defendants will produce their damages experts after Dr. Becker is made available for deposition.

We would like to nail down the expert discovery schedule as depositions will begin next week. Mr. Yovitz and I tried to reach Mr. Fenster today to discuss scheduling, but could not reach him. Please provide a response to the proposed schedule circulated last week (with the exception of the depositions we had proposed occur this week) or propose times tomorrow during which your team is available to discuss scheduling.

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**From:** Debera Hepburn [mailto:[dhepburn@heplaw.com](mailto:dhepburn@heplaw.com)]

**Sent:** Tuesday, February 02, 2010 3:13 PM

**To:** Andrea P Roberts; Brian Cannon; sandrews@haltomdoan.com; jdoan@haltomdoan.com; 'Rooklidge, William'; jthane@haltomdoan.com; 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'; alan@alanbrooksllc.com; agiza@raklaw.com; aweiss@raklaw.com

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Counsel,

nXn agrees to defendants' proposed DCO with the addition of the deadline for sur-replies to MSJs shown as a redlined revision in the attached. If defendants agree to the deadline for sur-replies, please proceed with filing the DCO.

*Best Regards,*

*Debera W. Hepburn*

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**From:** Andrea P Roberts [mailto:[andreaproberts@quinnmanuel.com](mailto:andreaproberts@quinnmanuel.com)]

**Sent:** Monday, January 18, 2010 1:53 PM

**To:** dhepburn@heplaw.com; Brian Cannon; sandrews@haltomdoan.com; jdoan@haltomdoan.com; 'Rooklidge, William'; jthane@haltomdoan.com; 'White, Jason'; David Perlson; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google

**Cc:** 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'

**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Counsel,

Attached is a revised version of the case schedule.

Thank you,

Andrea Pallios Roberts  
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**From:** Debera Hepburn [mailto:[dhepburn@heplaw.com](mailto:dhepburn@heplaw.com)]  
**Sent:** Wednesday, December 30, 2009 11:17 AM  
**To:** Brian Cannon; sandrews@haltomdoan.com; jdoan@haltomdoan.com; 'Rooklidge, William'; jthane@haltomdoan.com; 'White, Jason'; David Perlson; Andrea P Roberts; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google  
**Cc:** 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'  
**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Brian,

I have attached the amended schedule while retaining the format of the DCO for ease of comparison to the DCO. Accordingly, some of the entries do not have a corresponding DCO Step number because they were not original entries on the DCO. I've included those entries for the sake of completeness.

Best Regards,

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**From:** Brian Cannon [mailto:[briancannon@quinnmanuel.com](mailto:briancannon@quinnmanuel.com)]  
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**Cc:** 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'  
**Subject:** RE: nXn Tech, LLC v. Google, Inc., et al.

Debera:

The chart is generally OK, but is missing the following dates:

Opposition to dispositive motions: 1/25  
Reply briefs to dispositive motions: 1/29  
Motions in Limine: 2/19  
Response to Motions in Limine: 2/24

Items 41 and 42 should refer to "Defendants" not just Google  
Item 42 should not refer to "MILs" as they have a different deadline

Brian

**From:** Debera Hepburn [mailto:[dhepburn@heplaw.com](mailto:dhepburn@heplaw.com)]  
**Sent:** Tuesday, December 29, 2009 9:16 AM  
**To:** sandrews@haltomdoan.com; jdoan@haltomdoan.com; 'Rooklidge, William'; jthane@haltomdoan.com; 'White, Jason'; Brian Cannon; David Perlson; Andrea P Roberts; 'Melissa Smith'; 'Gil Gillam'; Alison Monahan; PA Advisors v. Google  
**Cc:** 'David Pridham'; 'Andrew Spangler'; 'Marc Fenster'; 'John Bustamante'; 'Liz Wiley'; 'Adam Hoffman'; 'Patrick Anderson'; 'Kip Glasscock'  
**Subject:** nXn Tech, LLC v. Google, Inc., et al.

Counsel,

I have attached a spreadsheet which reflects nXn's understanding of the changes in the DCO as discussed during yesterday's status conference. It has come to our attention that DCO item #s 40 and 41 were not discussed during the conference so we have proposed deadlines (highlighted in yellow) for those items. The proposal reflects the same timeframe that was reflected in the previous DCO.

Please let us know whether you are in agreement with the proposal for item #s 40 and 41 or provide a counterproposal for the same.

Best Regards,

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